

02-09-01

PTO/SB/05 (08-00)

Please type a plus sign (+) inside this box ☒

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

VELCP005C

First Inventor

Behrooz REZVANI

Title

METHOD AND APPARATUS FOR INTERFERENCING TDM AND PACKET
BASED COMMUNICATION ON A VDSL COMMUNICATION MEDIUM

Express Mail Label No.

EK802270149US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 13 12/7/01
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5] 1-5
5. Oath or Declaration unsigned [Total Pages 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Copies of IDS
Statement (IDS)/PTO-1449 Citations #
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other: Request and Certification Under
35 U.S.C. 122(b)(2)(B)(i)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No. 09/728,300

Prior application information

Examiner

Group / Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name

CARY & KELLY, LLP

ATTN: Charles C. Cary

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Name (Print/Type)

Charles C. Cary

Registration No. (Attorney/Agent)

36,764

Signature

Date Feb 7, 2001

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EK802270149US

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$)

355

Complete if Known

Application Number	n/a
Filing Date	Feb 7, 2001
First Named Inventor	Behrooz REZVANI
Examiner Name	n/a
Group Art Unit	n/a
Attorney Docket No.	VELCP005C

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1338

Deposit Account Name CARY & KELLY, LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

Fee Paid

\$355

\$0

SUBTOTAL (1) (\$)

355

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
1	1		-20 = -19	\$18	\$0
			-3 = -2	\$80	\$0
			0		\$0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

0

*or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
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Fee Description

Fee Paid

105	130	205	65	Surcharge - late filing fee or oath	\$0
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$0
139	130	139	130	Non-English specification	\$0
147	2,520	147	2,520	For filing a request for ex parte reexamination	\$0
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$0
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$0
115	110	215	55	Extension for reply within first month	\$0
116	390	216	195	Extension for reply within second month	\$0
117	890	217	445	Extension for reply within third month	\$0
118	1,390	218	695	Extension for reply within fourth month	\$0
128	1,890	228	945	Extension for reply within fifth month	\$0
119	310	219	155	Notice of Appeal	\$0
120	310	220	155	Filing a brief in support of an appeal	\$0
121	270	221	135	Request for oral hearing	\$0
138	1,510	138	1,510	Petition to institute a public use proceeding	\$0
140	110	240	55	Petition to revive - unavoidable	\$0
141	1,240	241	620	Petition to revive - unintentional	\$0
142	1,240	242	620	Utility issue fee (or reissue)	\$0
143	440	243	220	Design issue fee	\$0
144	600	244	300	Plant issue fee	\$0
122	130	122	130	Petitions to the Commissioner	\$0
123	50	123	50	Petitions related to provisional applications	\$0
126	240	126	240	Submission of Information Disclosure Stmt	\$0
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$0
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	\$0
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	\$0
179	710	279	355	Request for Continued Examination (RCE)	\$0
169	900	169	900	Request for expedited examination of a design application	\$0

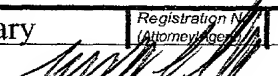
Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

0

SUBMITTED BY

Name (Print/Type)	Charles C. Cary	Registration No. (Attorney/Agent)	36,764	Telephone	(650) 316-4011
Signature				Date	Feb 7, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

REZVANI

Title

METHOD AND APPARATUS FOR INTERFERENCING TDM AND PACKET BASED
COMMUNICATION ON A VDSL COMMUNICATION MEDIUM

Atty Docket Number

VELCP005C

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

02/07/2001

Date

Signature

Charles C. Cary

Typed or printed name

REGISTRATION NO. 36,764

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement. This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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